

U.S. Department of the Interior  
Bureau of Land Management  
White River Field Office  
220 E Market St  
Meeker, CO 81641

## DETERMINATION OF NEPA ADEQUACY (DNA)

### *Spring 2015 Special Recreation Permits* DOI-BLM-CO-N05-2015-0058-DNA

#### Identifying Information

**Project Title:** Spring 2015 Special Recreation Permits

**Legal Description:**

*Charles Barrett:*

T1N, R91W Sections 18, 19, 30

*Wyoming Hunting Outfitters:*

T1N, R97W Sections 19-22, 27-30

T1S, R97W Sections 1-36

T1S, R98W Sections 1, 11-15, 20-28, 32-36

T2S, R98W Sections 1-36

T3S, R99W Sections 13, 22-28, 32-36

T3S, R98W Sections 2-11, 15-22, 28-30

T2S, R97W Sections 1-20, 23-26

T1S, R96W Sections 5-10, 14-23, 25-36

T2S, R96W Sections 1-36

*Hogback Ridge Adventures:*

T4S, R94W, Sections 6-9, 16-21, 27-32

T3S, R94W, Sections 27, 34

*Powell 4A Ranch:*

T3S, R100W, Sec 33, 34

T4, R100W, Sec 7, 18, 19, 30, 31, 35

T5S, R100W Sec 2-10, 14-17, 20-23, 25, 26

T5S, R99W, Sec 30-32

*White River Adventures:*

T3N, R103W  
T2N, R103W  
T3N, R102W  
T2N, R102W  
T3N, R101W  
T2N, R101W  
T1N, R101W  
T3N, R100W  
T2N, R100W  
T1N, R100W  
T3N, R99W  
T2N, R99W  
T1N, R99W  
T3N, R98W  
T2N, R98W  
T1N, R98W  
T3N, R97W  
T2N, R97W  
T1N, R97W  
T3N, R96W

*Sombrero Ranches:*

All BLM lands within the White River Field Office (WRFO)

*Hellander Outfitting:*

T3N, R92W Sections 20, 21, 22, 28, 29, 32, 35, 36  
T3N, R91W Sections 29, 30, 31, 32  
T2N, R92W Sections 4, 8, 16, 17

*Rim Rock Outfitters:*

T1N, R100W Section 34 SENW

*Bookcliff Outfitters:*

T2S, R103 W, Section 22 NESE

*Paramount Wildlife Management:*

T3S, R103W, Section 2

*Colorado Mountain College:*

T4N, R103W Sections 19, 20, 23, 26, 27, 30, 31, 35  
T4N, R104W Sections 24 and 25

**Applicants:** Charles Barrett doing business as (dba) Charles Barrett  
William DeShaw dba Wyoming Hunting Outfitters  
Les Woodward dba Hogback Ridge Adventures  
Nona Powell dba Powell 4A Ranch  
Travis Kruckenberg dba White River Adventures  
Freda Bishop, Sombrero Ranches  
Kirk Hellander, Hellander Outfitting  
Monty Elder, Rim Rock Outfitters  
Bruce and Kathy Nay, Bookcliffs Outfitters  
Kevin Herrman, Paramount Wildlife Management  
John Saunders, Colorado Mountain College

### **Conformance with the Land Use Plan**

The Proposed Action is subject to and is in conformance (43 CFR 1610.5) with the following land use plan:

**Land Use Plan:** White River Record of Decision and Approved Resource Management Plan (ROD/RMP)

**Date Approved:** July 1997

**Decision Language:** "Special recreation permits (SRPs) will be issued to qualified guides and outfitters based on need and demand for services." (page 2-43)

### **Proposed Action**

The Spring 2015 Special Recreation Permits-Determination of NEPA Adequacy (DNA) is a compilation of all SRP applications and renewals over the past six months. This compilation provides an efficient process to determine the adequacy of existing NEPA decisions in order to authorize the renewal and/or issuance of these proposed SRPs. This DNA includes proposals for the renewal of five expired SRPs and one new SRP for big game outfitting and guiding; the renewal of two expired and one new overnight camp; the renewal of one horse rental and game packing SRP, and one new overnight backpacking course SRP.

### **Project Components and General Schedule**

#### *Charles Barrett*

Charles Barrett dba Charles Barrett has applied for a five year multi-year Special Recreation Permit (SRP) to conduct commercial big game guided hunting operations on lands administered by the Bureau of Land Management (BLM) within the White River Field Office (WRFO) (Figure 1). Charles Barrett has held a SPR with the WRFO the past two years, has successfully administered his permit, adhered to all terms and conditions, and has received an acceptable SRP performance evaluation rating each year. The actions to be taken are the issuance of a new five year multi-year SPR for Charles Barrett. The intended period of use would be during big game archery and rifle hunting seasons (1<sup>st</sup>-4<sup>th</sup> season), generally mid-August through November of each year. Charles Barrett is estimating a total of 152 client user days (42 days archery season, 30 days 1<sup>st</sup> rifle season, 30 days 2<sup>nd</sup> rifle season, 30 days 3<sup>rd</sup> rifle season, and 20 days 4<sup>th</sup> rifle

season). It is anticipated that most of this hunting will take place on adjacent private lands. All use will be casual and dispersed in nature within the permitted areas only. No drop camps will be authorized with the issuance of these permits. A pick-up truck, sport utility vehicle, and a utility terrain vehicle may be used during this operation on existing roads. No horses or pack stock will be used.

#### *Wyoming Hunting Outfitters*

William DeShaw dba Wyoming Hunting Outfitters (WHO) has applied for a five year multi-year SRP to conduct commercial big game guided hunting operations on BLM lands within the WRFO (Figure 2). William DeShaw has held a SRP with the WRFO the past two years, has successfully administered his permit, adhered to all terms and conditions, and has received an acceptable SRP performance evaluation rating each year. There are currently no permitted commercial big game guided hunting SRP operations in the area proposed. William DeShaw is estimating a total of 162 client user days (90 days archery season, 36 days 2<sup>nd</sup> rifle season, and 36 days 3<sup>rd</sup> rifle season). The intended period of use would be during big game archery and 2<sup>nd</sup> and 3<sup>rd</sup> rifle hunting seasons, generally mid-August to mid-November of each year. It is anticipated that all of this use will occur on BLM WRFO lands. All use will be casual and dispersed in nature within the permitted areas only. No drop camps are proposed nor will be authorized with the issuance of this permit. Pick-up trucks and/or sport utility vehicles may be used during this operation on existing roads. No horses or pack stock will be used.

#### *Hogback Ridge Adventures*

Les Woodward dba Hogback Ridge Adventures has applied for a five year multi-year SRP to conduct commercial big game guided hunting operations (Figure 3) operations on BLM lands within the WRFO. Les Woodward has held a SRP with the WRFO the past two years, has successfully administered his permit, adhered to all terms and conditions, and has received an acceptable SRP performance evaluation rating each year. There are currently no permitted commercial big game SRP operations in the proposed area. Les Woodward is estimating a total of 60 client days (20 days archery season, 40 days 1-4<sup>th</sup> rifle seasons). The intended period of use would be during big game archery and all rifle hunting seasons, generally mid-August through November of each year. It is anticipated that a portion of this use will occur on BLM WRFO lands and a portion will occur on adjacent private land. All use will be casual and dispersed in nature within the permitted areas only. No drop camps are proposed nor will be authorized with the issuance of this permit. Pick-up trucks and/or sport utility vehicles would be used during this operation on existing roads. No horses or pack stock would be used. Hogback Ridge Adventures intends to offer two “make-a-wish” guided hunts for seriously ill youth each year.

#### *Powell 4A Ranch*

Nona Powell dba Powell 4A Ranch LLC has applied for a second single year SRP to conduct commercial guiding and outfitting for big game hunters on BLM lands within the WRFO (Figure 4). Nona Powell has held a SRP with the WRFO the past year, has successfully administered her permit, adhered to all terms and conditions, and has received an acceptable SRP performance evaluation rating. Powell 4A Ranch LLC also held a SRP for big game hunting with the WRFO from 2007 through 2010. The actions to be taken are the issuance of a new single year SRP. The proposed period of use would be from the beginning of big game archery season through second rifle hunting season, generally late-August through October of each year. Powell 4A Ranch LLC is estimating 20-25 hunters for archery and muzzle loading seasons and 10 hunters each for first

and second rifle seasons. It is anticipated that some of this hunting will take place on adjacent private lands owned by the applicant. All use will be casual and dispersed in nature within the permitted areas only. No drop camps will be authorized with the issuance of these permits. Full sized motorized vehicles are proposed for use of existing routes only. No pack stock or horses will be used.

#### *White River Adventures*

Travis Kruckenberg doing business as White River Adventures, LLC (WRA) has applied for a second single year SRP to conduct commercial guiding and outfitting for big game hunters on BLM lands within the WRFO (Figure 5). Travis Kruckenberg has held a SPR with the WRFO the past year, has successfully administered his permit, adhered to all terms and conditions, and has received an acceptable SRP performance evaluation rating. The actions to be taken are the issuance of a new single year SPR for WRA. The intended period of use would be from the beginning of big game archery season through all rifle hunting seasons (1<sup>st</sup>-late cow elk hunt), generally late-August through December of each year. WRA is estimating a maximum of 137 client user days (40 days archery season, 10 days 1<sup>st</sup> rifle season, 36 days 2<sup>nd</sup> rifle season, 36 days 3<sup>rd</sup> rifle season, and 15 days late cow elk rifle season). No temporary facilities are proposed. It is anticipated that some of this hunting will take place on adjacent leased private lands. All use will be casual and dispersed in nature within the permitted areas only. No drop camps will be authorized with the issuance of these permits. Transportation that is planned to be used during the commercial operations includes full-sized motor vehicles, all-terrain vehicles, and snowmobiles may be used on existing routes only. On rare occasions when motorized routes access is limited, horse and pack stock may be used and will be day use only.

#### *Sombrero Ranches*

Freda Bishop dba Sombrero Ranches has applied for a SRP to provide horse rental services and game packing or equipment packing services on all BLM lands within the WRFO (Figure 6). Sombrero Ranches has held a SRP for this use on all BLM lands within the WRFO for more than twenty years. The actions to be taken are the issuance of a new five year multi-year SRP for Sombrero Ranches. Use of this SRP over the past three years has averaged six horse rentals each fall season and one or two game packing trips within the WRFO. This application is for mid-August through December of each year, but day use only. All use will be casual and dispersed in nature within the permitted areas only. No drop camps will be authorized with the issuance of these permits. Full sized motorized vehicles are proposed for use of existing routes only. Only weed free hay will be used in conjunction with this activity if needed. A Sombrero Ranches Horse Rental Contract and Release specifies the care of the rented horse, client responsibility, and other terms and conditions between the clients and Sombrero Ranches.

#### *Hellander Outfitting*

Kirk Hellander dba Hellander Outfitting has applied for a SRP to conduct commercial guiding and outfitting for big game hunters on BLM lands within the WRFO (Figure 7). The actions to be taken are the issuance of a new single year SRP for Hellander Outfitting. The intended period of use would be from the beginning of big game archery season through third rifle hunting seasons, generally late-August through mid-November of each year. Hellander Outfitting is estimating 60 client user days (15 days archery season, 15 days 1<sup>st</sup> rifle season, 15 days 2<sup>nd</sup> rifle season and 15 days 3<sup>rd</sup> rifle season). No temporary facilities are proposed. It is anticipated that some of this hunting will take place on adjacent leased private lands and on adjacent White River

National Forest lands. Hellander Outfitting has provided a copy of the U.S. Forest Service outfitting permit for adjacent public lands and a contract for use of the Yellowjacket Ranch, which are adjacent private lands. All use will be casual and dispersed in nature within the permitted areas only. No drop camps will be authorized with the issuance of these permits. Transportation that is planned to be used during the commercial operations includes full-sized motor vehicles, all-terrain vehicles, and snowmobiles may be used on existing routes only if needed. Horse and pack stock will be used in conjunction with these activities. Horse and pack stock will be day use only and hay will be certified weed free if needed.

#### *Rim Rock Outfitters*

Monty Elder dba Rim Rock Outfitters has applied for a drop camp to be authorized in conjunction with his existing big game commercial SRP (Figure 8). This location has been used as a campsite in the past. This camp is planned to be used throughout all big game seasons for up to six hunters maximum and two or three guides maximum, but is typically used during second and sometimes third big game rifle seasons by one group of one to two hunters and a guide. This camp consists of wall tents and associated camping gear. Human waste will be buried in a latrine. All trash will be packed out.

#### *Bookcliff Outfitters*

Bruce and Kathy Nay dba Bookcliff Outfitters have applied for a drop camp to be authorized in conjunction with his existing big game commercial SRP (Figure 9). This camp is planned to be used throughout all big game seasons for up to six hunters maximum and two or three guides maximum, but is typically used during second and sometimes third big game rifle seasons by one group of one to two hunters and a guide. This camp consists of wall tents and associated camping gear. Human waste will be buried in a latrine. All trash will be packed out.

#### *Paramount Wildlife Management*

Kevin Herrman dba Paramount Wildlife Management, has applied for a five year multi-year SRP to place a camp at one location on the North Fork of Texas Creek from December 1<sup>st</sup> through February 7th of each year while maintaining a trap line for fur bearing animals on BLM lands within the WRFO (Figure 10). This camp would typically be occupied 25 to 35 days each year. The actions to be taken are the issuance of a new five year multi-year SRP for Paramount Wildlife Management. The camp would be located approximately 20 miles south of Rangely, CO along the North Fork of Texas Creek, off County Road 109 (Missouri Creek) on BLM Road 1212. This camp would consist of up to three wall tents (20'x14', 17'x14', and 10'x12') and be occupied by two to three people with seven people being the maximum number of people in this camp at one time. All refuse and trash would be packed out and the site would be left clean at the end of use each season. Human waste would be collected in self-contained toilets/privies and removed from BLM lands. Fuel wood would be obtained from dead and down wood only in the vicinity of the camp. The trap line would consist of 50 cage traps dispersed along a total of 16 miles of county and BLM roads. These roads include portions of Rio Blanco County Roads 23, 25, 109, 116 and BLM Roads 1062, 1211, 1212, and 1225 (Figure 10). These roads would be traveled each day during the time the traps are in place with a full-sized motor vehicle, all-terrain-vehicles, or snowmobiles, depending on conditions. The traps would be in place a maximum of 40 days, but typically 25-35 days a year. Most of the fur bearer hides taken in this operation would be sold for profit.

### *Colorado Mountain College*

John Saunders dba Colorado Mountain College has applied for a new five year multi-year SRP to conduct a Colorado Mountain College field course (OUT114 Canyon Orientation) on BLM lands within the WRFO (Figure 11). John Saunders has previously had an SRP from 2009-2013 for this course and now wants to start teaching this course again and has applied for a new five year multi-year permit. There were no issues or concerns identified with the previous SRP. This course for 2015 would include an instructor led five day backpacking course for up to 12 students. The dates may vary from year to year but the authorization would be for one backpacking field course of up to ten days of use each season. The proposed course details include parking just off Moffat County Road 161 just south of Bull Canyon Wilderness Study Area (WSA) and then hiking into a campsite in Bull Canyon WSA (Figure 11). Day 2 includes exploring Bull Canyon and Buckwater Canyon, field lessons, and returning the campsite. Day 3 includes hiking back to the parked vehicle and then driving a BLM road just north of Willow Creek WSA and then hiking into a campsite in Willow Creek WSA. Day 4 includes hiking into nearby drainages and field lessons. Day 5 includes hiking out to the vehicle and then returning to campus. Specific areas that are focused on include: dehydration, weather, campsite selection, travel times, equipment, shelter, first aid, flora and fauna, compass use, map features, route selection, terrain features, life zones, landforms, Leave-No-Trace techniques in canyon environments, and survival techniques.

### **Review of Existing NEPA Documents**

**Name of Document:** White River Resource Area Proposed Resource Management Plan and Final Environmental Impact Statement (PRMP/FEIS).

**Date Approved:** June 1996

**Name of Document:** Special Recreation Permits within the WRFO Involving Special Areas, More than 14 Days Consecutive Use, and/or Staging Areas Greater than Three Acres Environmental Assessment (DOI-BLM-CO-NO5-2014-0057-EA)

**Date Approved:** July 31, 2014

### **NEPA Adequacy Criteria**

1. Is the new Proposed Action a feature of, or essentially similar to, an alternative analyzed in the existing NEPA document? Is the project within the same analysis area, or if the project location is different, are the geographic and resource conditions sufficiently similar to those analyzed in the existing NEPA document? If there are differences, can you explain why they are not substantial?

*The new Proposed Action is essentially similar to the selected alternative analyzed in the environmental assessment DOI-BLM-CO-NO5-2014-0057-EA. It is within the same analysis area and there are no substantial differences.*



2. Is the range of alternatives analyzed in the existing NEPA document appropriate with respect to the new Proposed Action, given current environmental concerns, interests, and resource values?

*Two alternatives (Proposed Action and No Action Alternative) were analyzed in DOI-BLM-CO-N05-2014-0057-EA. No reasons were identified to analyze additional alternatives and these alternatives are considered to be adequate and valid for the Proposed Action.*

3. Is the existing analysis valid in light of any new information or circumstances (such as, rangeland health standard assessment, recent endangered species listings, updated lists of BLM-sensitive species)? Can you reasonably conclude that new information and new circumstances would not substantially change the analysis of the new Proposed Action?

*Additional projects have been analyzed in the area, but no known changes in circumstances or information have been found, thus the original analysis is still valid. Please see the comments below regarding cultural resources, wild horses, and threatened and endangered wildlife and plants species for further discussion.*

4. Are the direct, indirect, and cumulative effects that would result from implementation of the new Proposed Action similar (both quantitatively and qualitatively) to those analyzed in the existing NEPA document?

*The direct, indirect, and cumulative effects that could result from implementing this Proposed Action would still remain similar to EA: DOI-BLM-CO-N05-2014-0057-EA.*

5. Is the public involvement and interagency review associated with existing NEPA documents adequate for the current Proposed Action?

*A copy of the completed DNA will be posted to the online NEPA ePlanning register. Grazing permittees in areas with new proposals were contacted about the proposal. No issues or concerns were identified.*

## Interdisciplinary Review

The Proposed Action was presented to, and reviewed by, the White River Field Office interdisciplinary team on 5/19/2015. A complete list of resource specialists who participated in this review is available upon request from the White River Field Office. The table below lists resource specialists who provided additional review or remarks concerning cultural resources and special status species.

Name	Title	Resource	Date
Brian Yaquinto	Archaeologist	Cultural Resources, Native American Religious Concerns	6/9/2015
Lisa Belmonte	Wildlife Biologist	Special Status Wildlife Species	6/14/2015
Matthew Dupire	Ecologist	Special Status Plant Species	6/10/2015
Aaron Grimes	Outdoor Recreation Planner	Project Lead and Recreation	6/15/2015



Heather Sauls	Planning and Environmental Coordinator	NEPA Compliance	6/16/2015
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**Cultural Resources:** The issuance of a Special Recreation Permit is considered an undertaking subject to compliance with Section 106 of the National Historic Preservation Act (NHPA). The BLM has the legal responsibility to consider the effects of its actions on cultural resources located on federal land. BLM Manual 8100 Series; the Colorado State Protocol; and BLM Colorado Handbook of Guidelines and Procedures for Identification, Evaluation, and Mitigation of Cultural Resources provide guidance on Section 106 compliance requirements to meet appropriate cultural resource standards. In Colorado, the BLM's NHPA obligations are carried out under a Programmatic Agreement (PA) among the BLM, the Advisory Council on Historic Preservation, and the State Historic Preservation Officer (SHPO).

Specific permitted use-areas have likely not been subject to a Class III cultural resource inventories, however, many of the permitted activities do not present potential impacts to cultural resources (no ground disturbance) and, therefore, do not require formal assessment. Special Recreation Permits applying for a drop camp or camp were subject to Class III cultural resource inventory of the camps location, in order to mitigate potential adverse impacts to cultural resources. For the current Proposed Action, Colorado Mountain College, Bookcliffs Outfitters, and Rim Rock Outfitters, camp locations were surveyed for cultural resources at the Class III intensity level by the WRFO archaeologist. Paramount Wildlife Management did not require a cultural resource survey of its drop camp location because the camp was previously surveyed for cultural resources at Class III standards. The result of the cultural resource inventories for the Proposed Action did not yield any historic properties that would be adversely impacted by the authorization of these camps.

**Native American Religious Concerns:** No Native American religious concerns are known in the area, and none have been noted by Tribal authorities. Should recommended inventories or future consultations with Tribal authorities reveal the existence of such sensitive properties, appropriate mitigation and/or protection measures may be undertaken.

**Threatened and Endangered Wildlife Species:** Impacts to special status animal species and terrestrial and aquatic wildlife species were adequately addressed and analyzed in the original environmental assessment (DOI-BLM-CO-NO5-2014-0057-EA). Extended activities, such as longer-term camp sites, would be expected to have a greater influence on local wildlife (behavioral and physiological), however in general, based on the timing, type and intensity of use proposed, impacts to wildlife species would be expected to be minimal and short term in nature.

**Threatened and Endangered Plant Species:** Light intensity use from guided hunts is expected to have very limited impacts to special status plants as analyzed in DOI-BLM-CO-NO5-2014-0057-EA. All proposed drop camps associate with hunting, trapping, and the Colorado Mountain College course do not occur within special status plant habitat and do not need further surveys.

**Recreation:** The Paramount Wildlife Management camp is proposed to be operated during times of the year when soils can be saturated (Dec. 1<sup>st</sup>-Feb. 7<sup>th</sup>). In order to prevent rutting of soils in the camp area and adjacent parking, all motorized travel shall cease in the camping area and adjacent parking and motorized vehicles must park adjacent to the existing road when soils or road surfaces become saturated to a depth of three inches unless approved by the Authorized Officer. This is intended to prevent damage to the camping area and parking area, which is also used by the grazing permittee as a parking place and sometimes by other recreationalist during the big game hunting seasons.

## Mitigation

1. All commercial use of Public Lands will comply with the current version of the BLM Colorado Special Recreation Permits, Conditions and Stipulations for all permitted activities.
2. When working on lands administered by the BLM WRFO, notify Craig Interagency Dispatch (970-826-5037) in the event of any fire. The reporting party will inform the dispatch center of fire location, size, status, smoke color, aspect, fuel type, and provide their contact information. The reporting party, or a representative of, should remain nearby, in a safe location, in order to make contact with incoming fire resources to expedite actions taken towards an appropriate management response. The applicant will not engage in any fire suppression activities outside the approved operating area. Accidental ignitions will be suppressed by the applicant only if safety is not endangered and if the fire can be safely contained using hand tools and portable hand pumps. If chemical fire extinguishers are used the applicant must notify incoming fire resources on extinguisher type and the location of use. Natural ignitions caused by lightning will be managed by federal fire personnel. The use of heavy equipment for fire suppression is prohibited, unless authorized by the Field Manager.
3. Plant protection mitigation (for White River Adventures SRP and Wyoming Hunting Outfitters SRP only) includes: The applicant and all guides and employees associated with the authorized operations will be provided with educational materials about *Physaria obcordata*, *Physaria congesta*, and *Penstemon grahamii* (Attachment 1) along with maps of plant awareness areas and will attempt to avoid special status plant species areas designated in the attached map (Figure 12 and Figure 13) and be aware of plant's habitats. If an animal is downed on a white shale outcrop, the outfitter and guides will either quarter and carry the animal off the white shale, or if this is not possible, the area of disturbance will be kept to a minimum while field dressing and all scraps will be removed from white shale outcrop.
4. The following SRPs are located within areas where wild horses can be found. Not all wild horses are located within the delineated boundaries of the HMA and HAs. Wild horse mitigation measures will be directed to the following; Wyoming Hunting Outfitters, Powell 4A Outfitters, White River Adventures, Sombrero Ranches, Rim Rock Outfitters, Bookcliffs Outfitters and Paramount Wildlife Management.

- a. The permittee/guide shall inform all staff and clients that wild horses are protected by Federal law and will prevent harassment of wild horses from permitted activities. Prohibited acts include but are not limited to: maliciously injuring or harassing a wild horse or burro; removing or attempting to remove a wild horse or burro from public lands; destroying a wild horse or burro; selling or attempting to sell a wild horse or burro; and, commercially exploiting a wild horse or burro. Crimes are punishable by fine and/or imprisonment.
  - b. Examples of violations might include harassment by ATV, injury or death by a bullet or arrow, and illegal capture.
  - c. All guides shall possess a map indicating boundary of the HMA as well as the HAs. (Figure 14)
  - d. The permittee will discourage the discharge of firearms within HMA during the foaling season (March 1 – June 15) that is not directly associated with the permitted commercial activity. For example, discourage target shooting or sighting in of firearms in these areas during this time when permitted for commercial mountain lion hunting.
  - e. Stay at least 100 feet away from wild horses.
  - f. Do not feed or try to attract any wild horse towards you.
  - g. Keep dogs under control so they do not disturb or chase wild horses.
  - h. Report sick, injured animals, or other violations against wild horses to the BLM.
  - i. Do not bring sick or diseased animals into the HMA. Wild horses on the range are not vaccinated against diseases.
5. Soils mitigation for Paramount Wildlife Management only: all motorized travel shall cease in the camping area and adjacent parking and motorized vehicles must park adjacent to the existing road when soils or road surfaces become saturated to a depth of three inches unless approved by the Authorized Officer.

***BLM Required Conditions of Approval to Mitigate Impacts to Cultural and Paleontological Resources***

1. The applicant is responsible for informing all persons who are associated with the project that they will be subject to prosecution for knowingly disturbing archaeological sites or for collecting artifacts.
2. If any archaeological materials are discovered as a result of operations under this authorization, activity in the vicinity of the discovery will cease, and the BLM WRFO Archaeologist will be notified immediately. Work may not resume at that location until approved by the AO. The applicant will make every effort to protect the site from further impacts including looting, erosion, or other human or natural damage until BLM determines a treatment approach, and the treatment is completed. Unless previously determined in treatment plans or agreements, BLM will evaluate the cultural resources and, in consultation with the State Historic Preservation Office (SHPO), select the appropriate mitigation option within 48 hours of the discovery. The applicant, under guidance of the BLM, will implement the mitigation in a timely manner. The process will be fully documented in reports, site forms, maps, drawings, and photographs. The BLM will forward documentation to the SHPO for review and concurrence.

3. Pursuant to 43 CFR 10.4(g), the applicant must notify the AO, by telephone and written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4(c) and (d), the operator must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the AO.

### **Tribes, Individuals, Organizations, or Agencies Consulted**

Consultation letters and contact was made with the Eastern Shoshone Tribe of the Wind River Reservation, Ute Indian Tribe of the Uintah and Ouray Reservation, the Southern Ute Indian Tribe and the Ute Mountain Ute Tribe for this project. If additional information comes out in consultation, aspects of the project may be changed in response to tribal concerns.

### **Conclusion**

Based on the review documented above, I conclude that this proposal conforms to applicable land use plan and that the NEPA documentation fully covers the Proposed Action and constitutes BLM's compliance with the requirements of the NEPA.

Theresa E. Walter

Field Manager

06/19/2015

Date

Note: The signed Conclusion of this Worksheet is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision. However, the lease, permit, or other authorization based on this DNA is subject to protest or appeal under 43 CFR Part 4 and the program-specific regulations.

## Appendix A. Figures

Figure 1 (Charles Barrett SRP map)

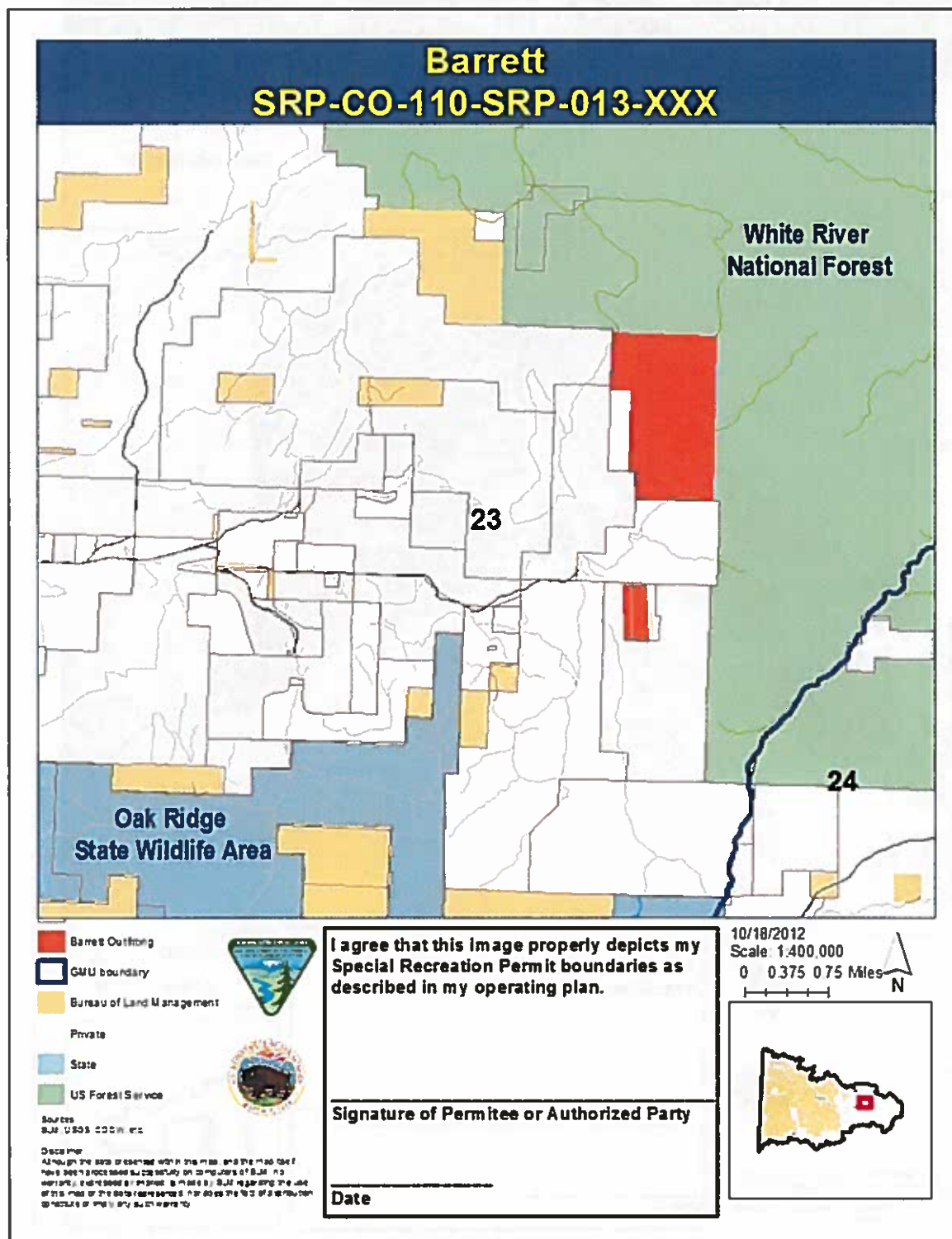




Figure 2 (Wyoming Hunting Outfitters SRP map)

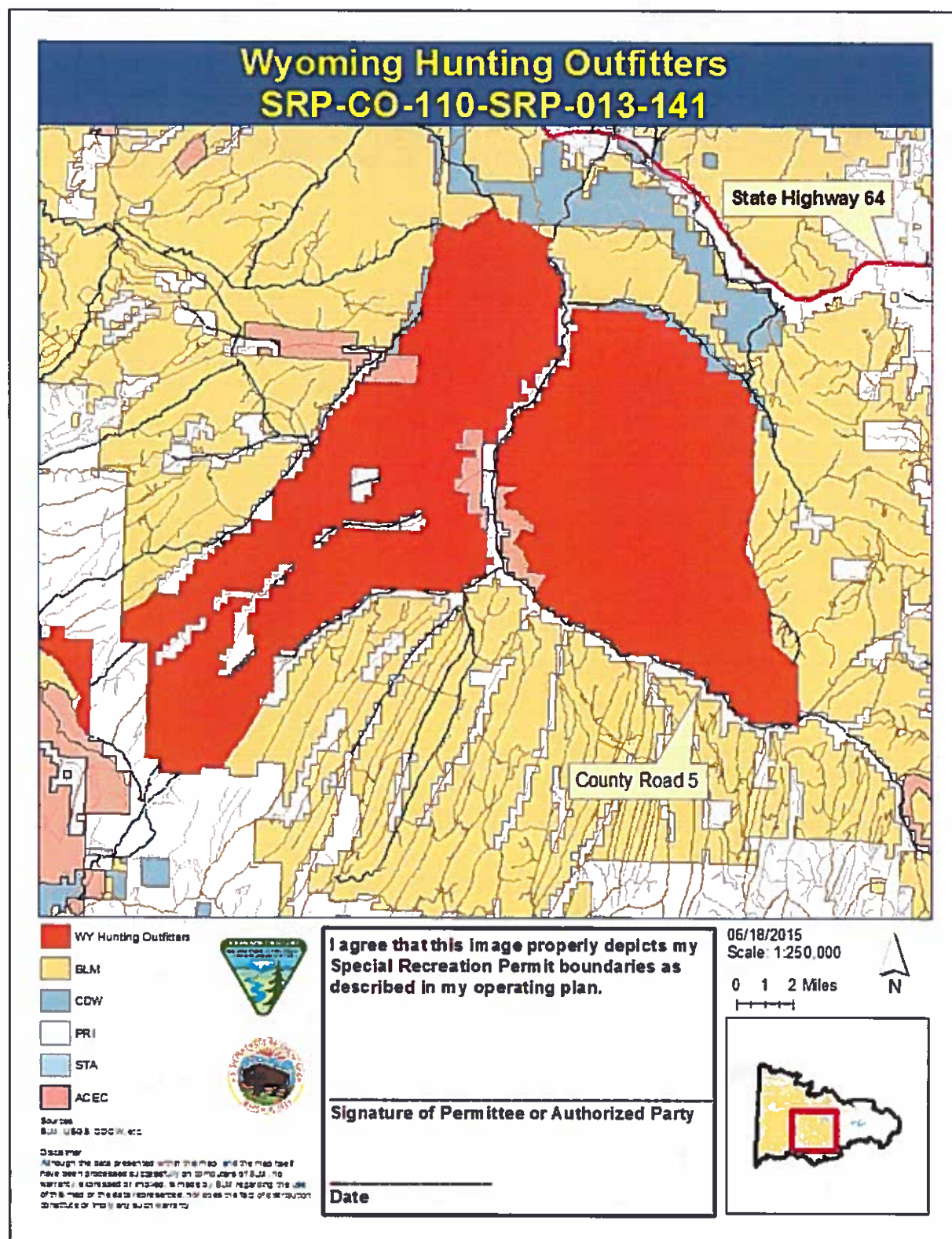


Figure 3 (Hogback Ridge Adventures SRP map)

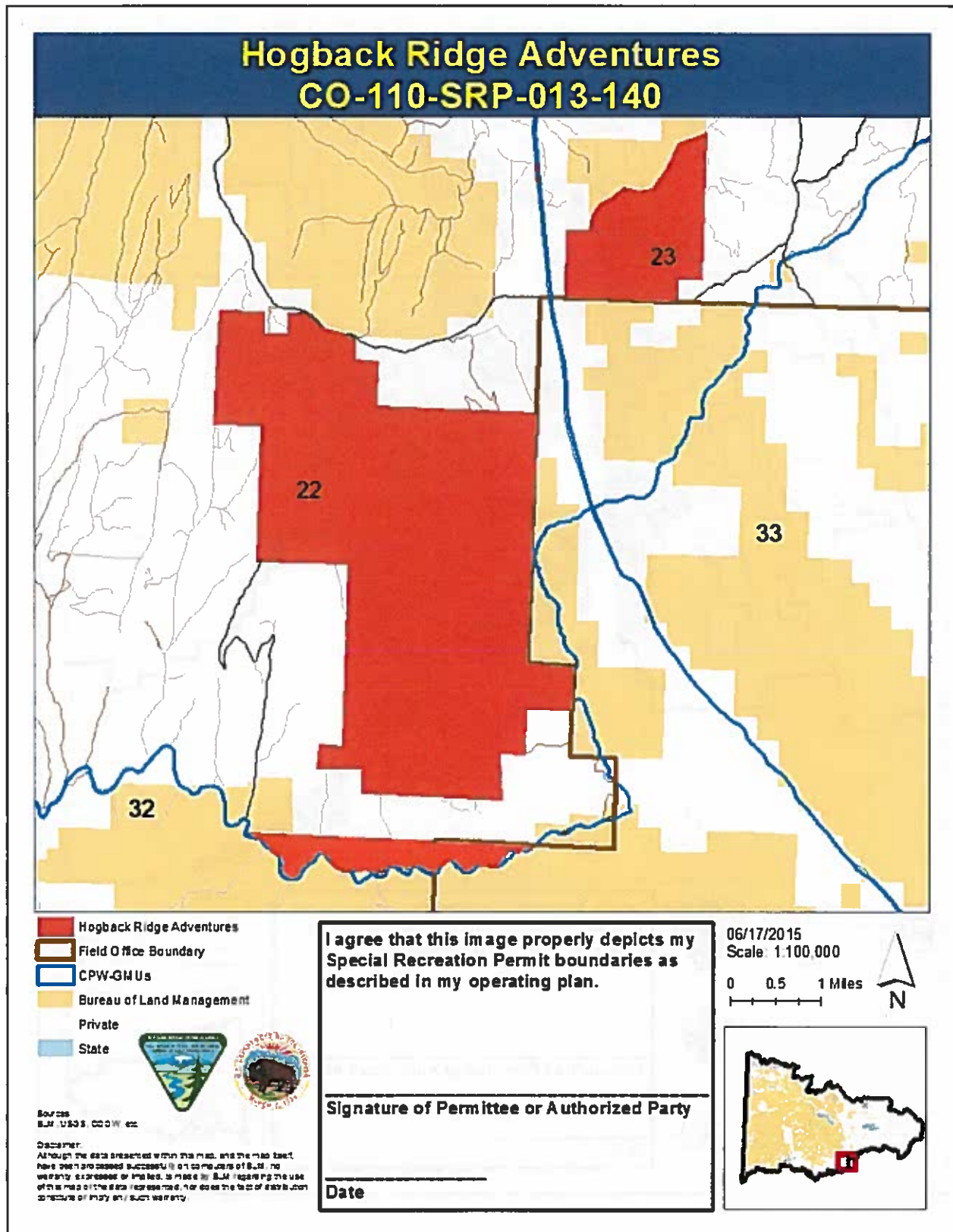




Figure 4 (Powell 4A Ranch SRP map)

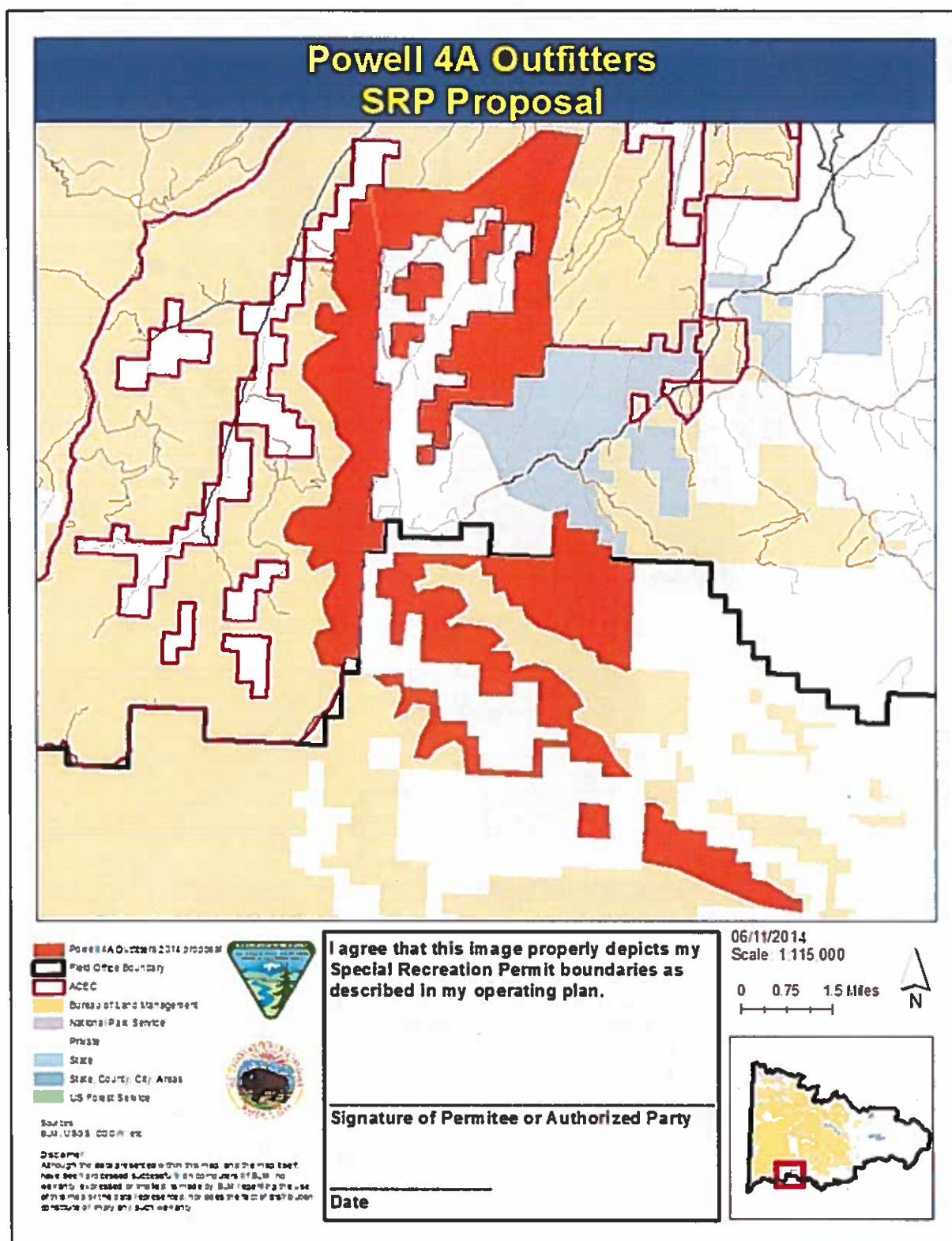


Figure 5 (White River Adventures SRP map)

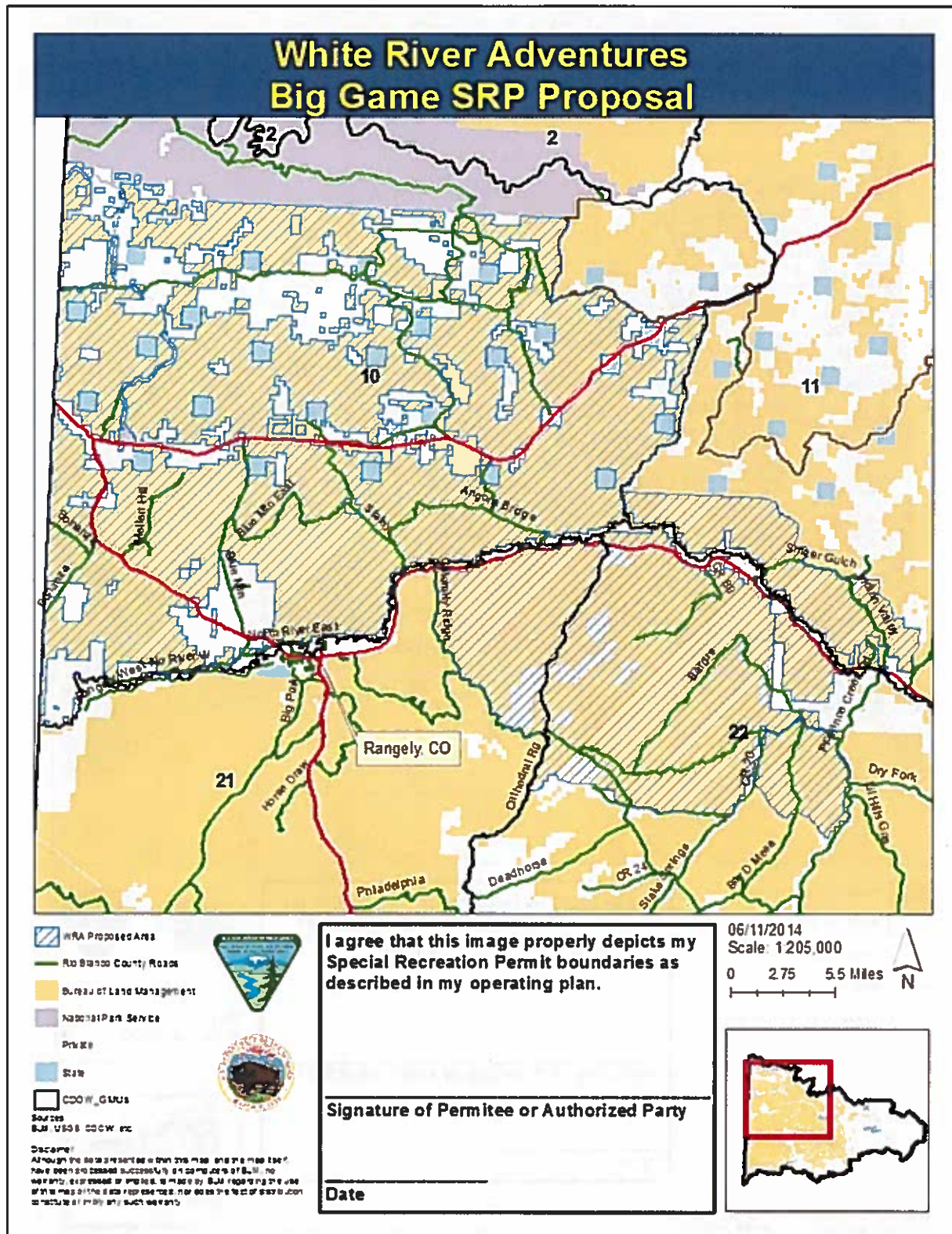




Figure 6 (Sombrero Ranches SRP map)

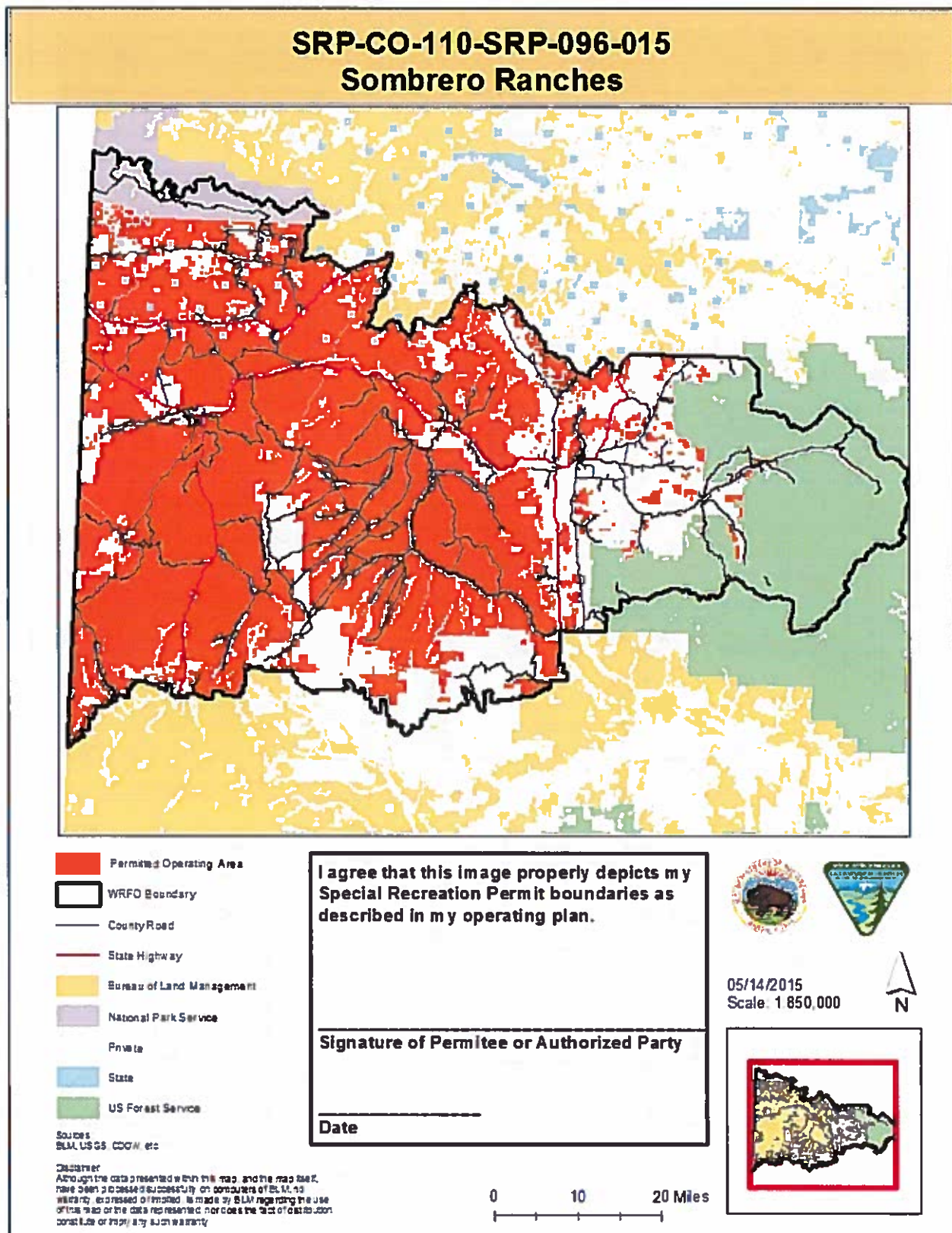


Figure 7 (Hellander Outfitting SRP map)

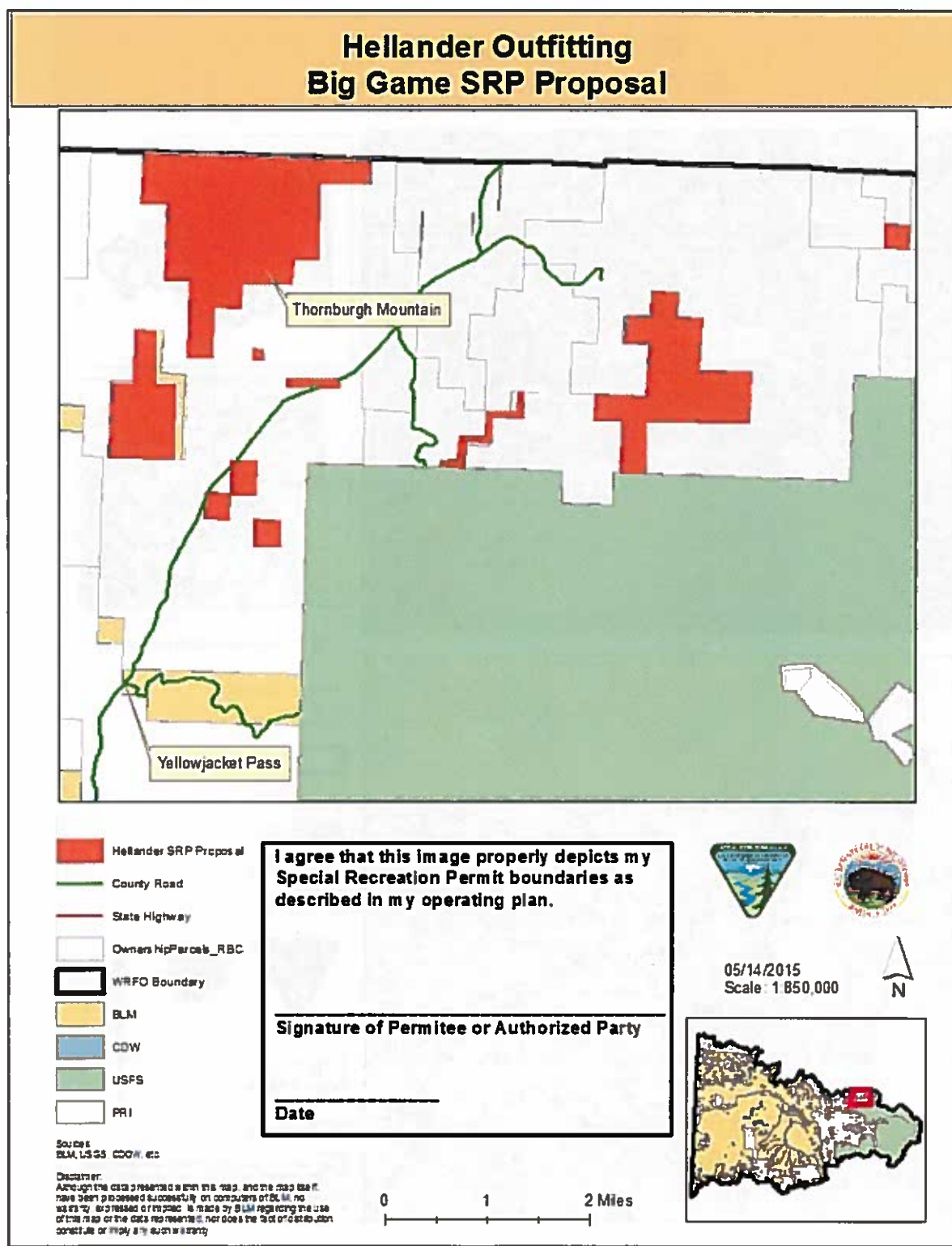




Figure 8 (Rim Rock Outfitters SRP drop camp map)

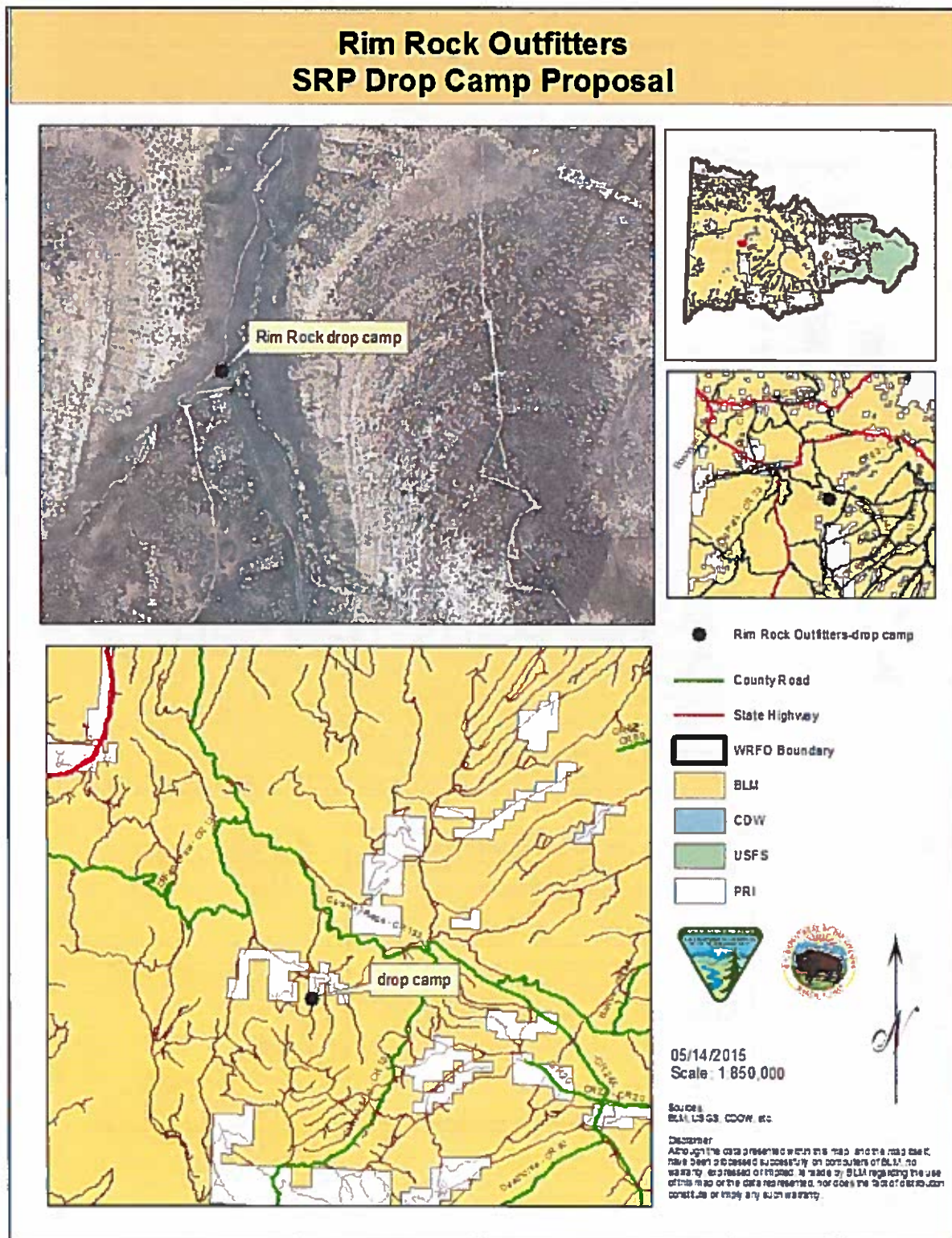




Figure 9 (Bookcliffs Outfitters SRP drop camp map)

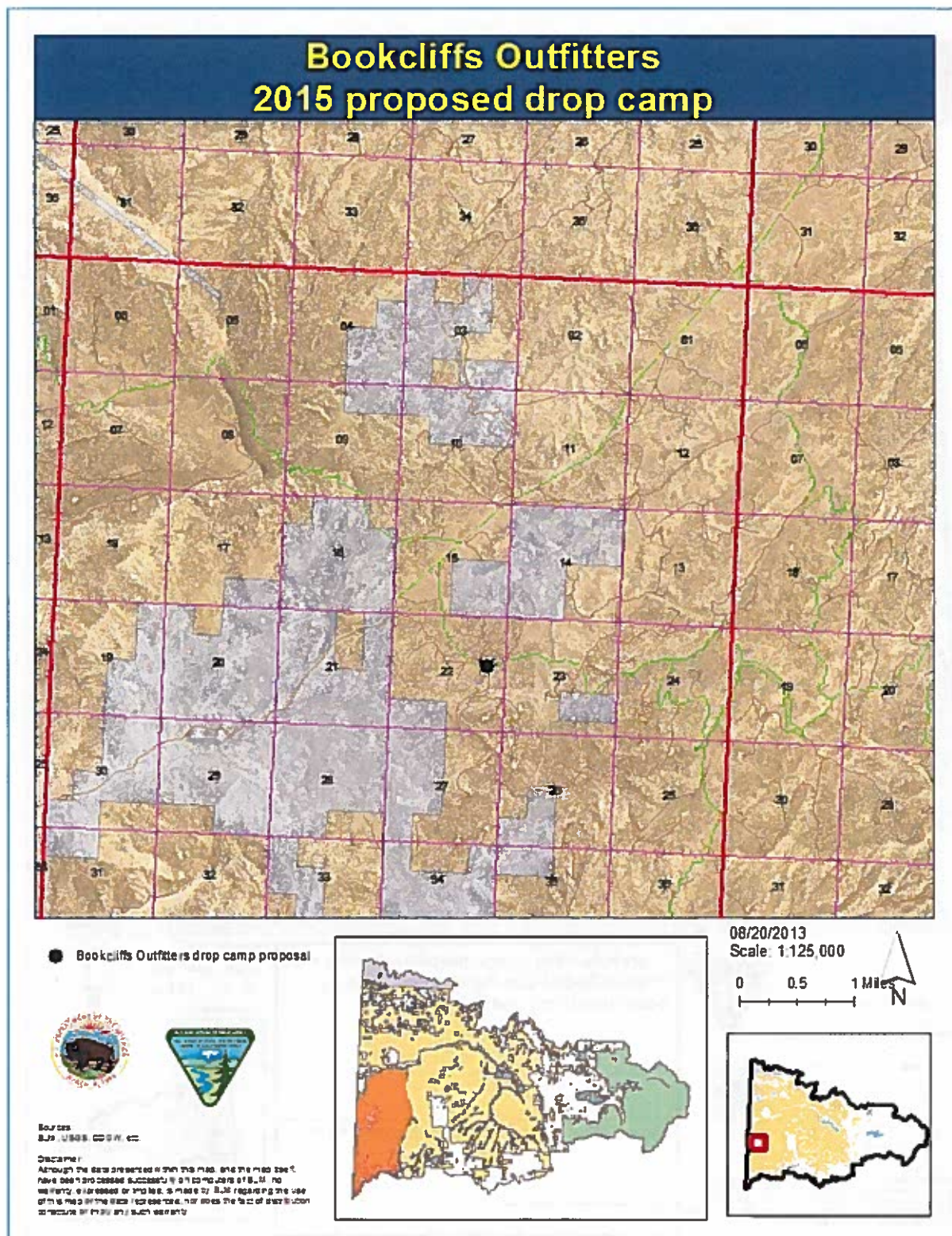




Figure 10 (Paramount Wildlife Trapping Camp SRP map)

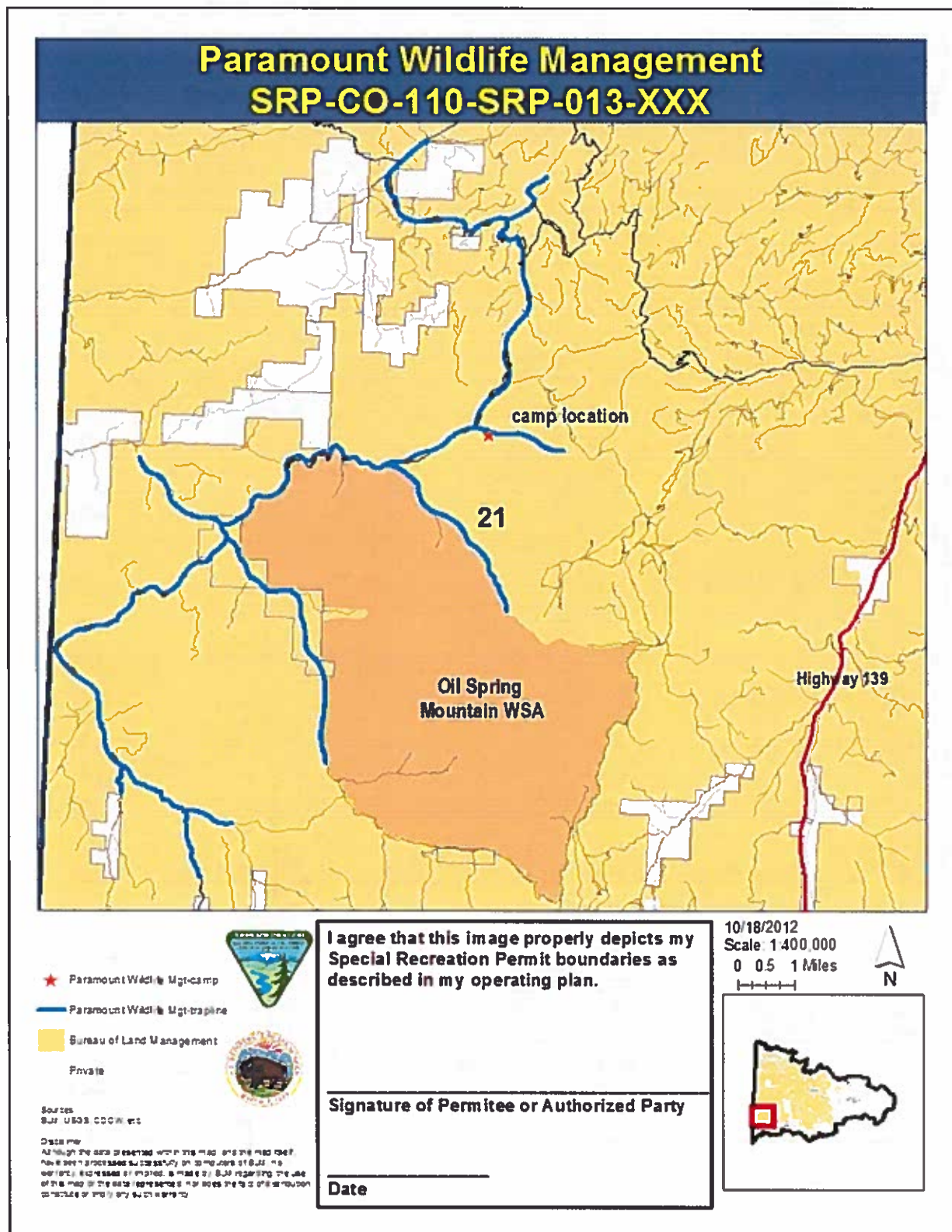




Figure 11 (Colorado Mountain College SRP map)

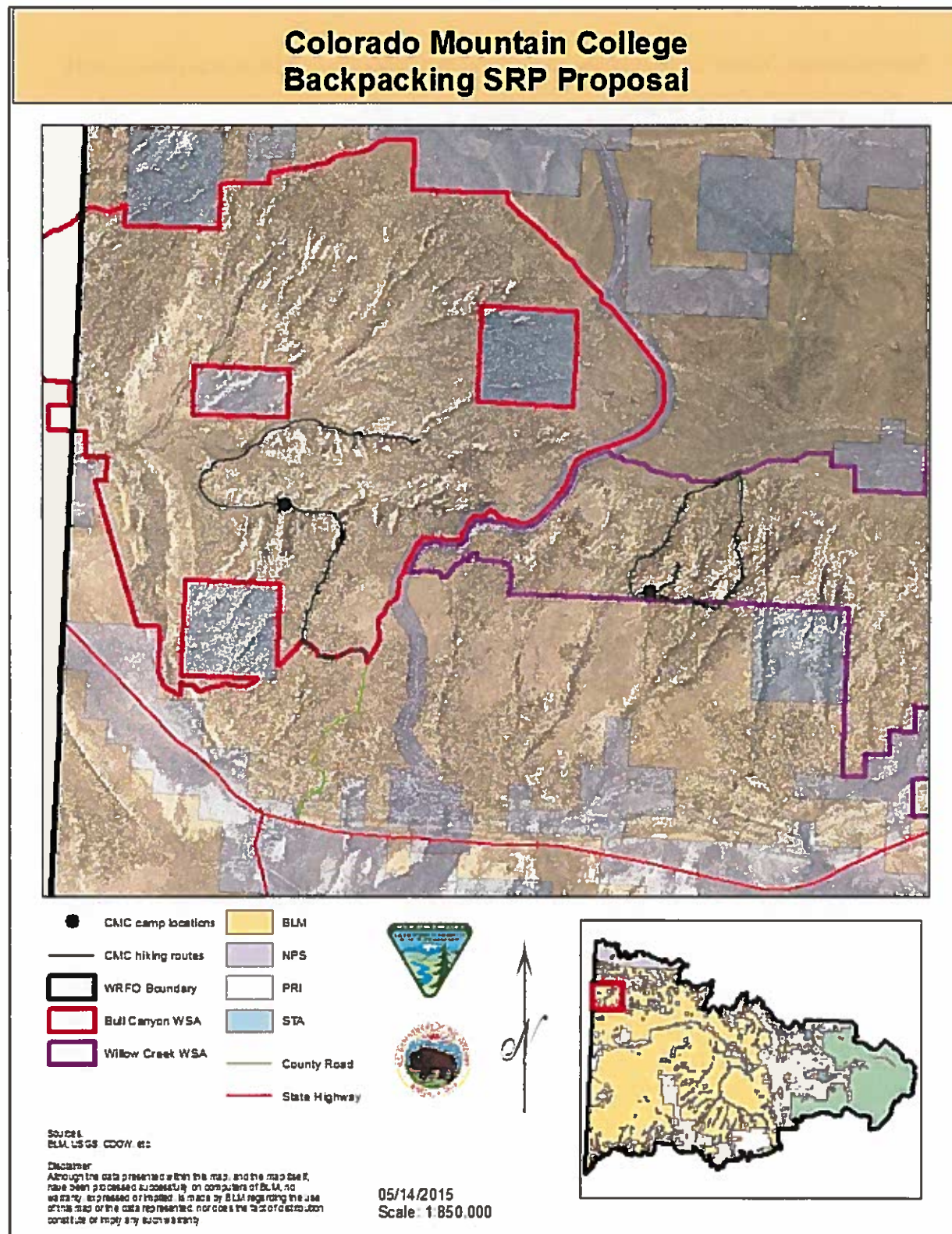


Figure 12 White River Adventures-Plant Awareness Map

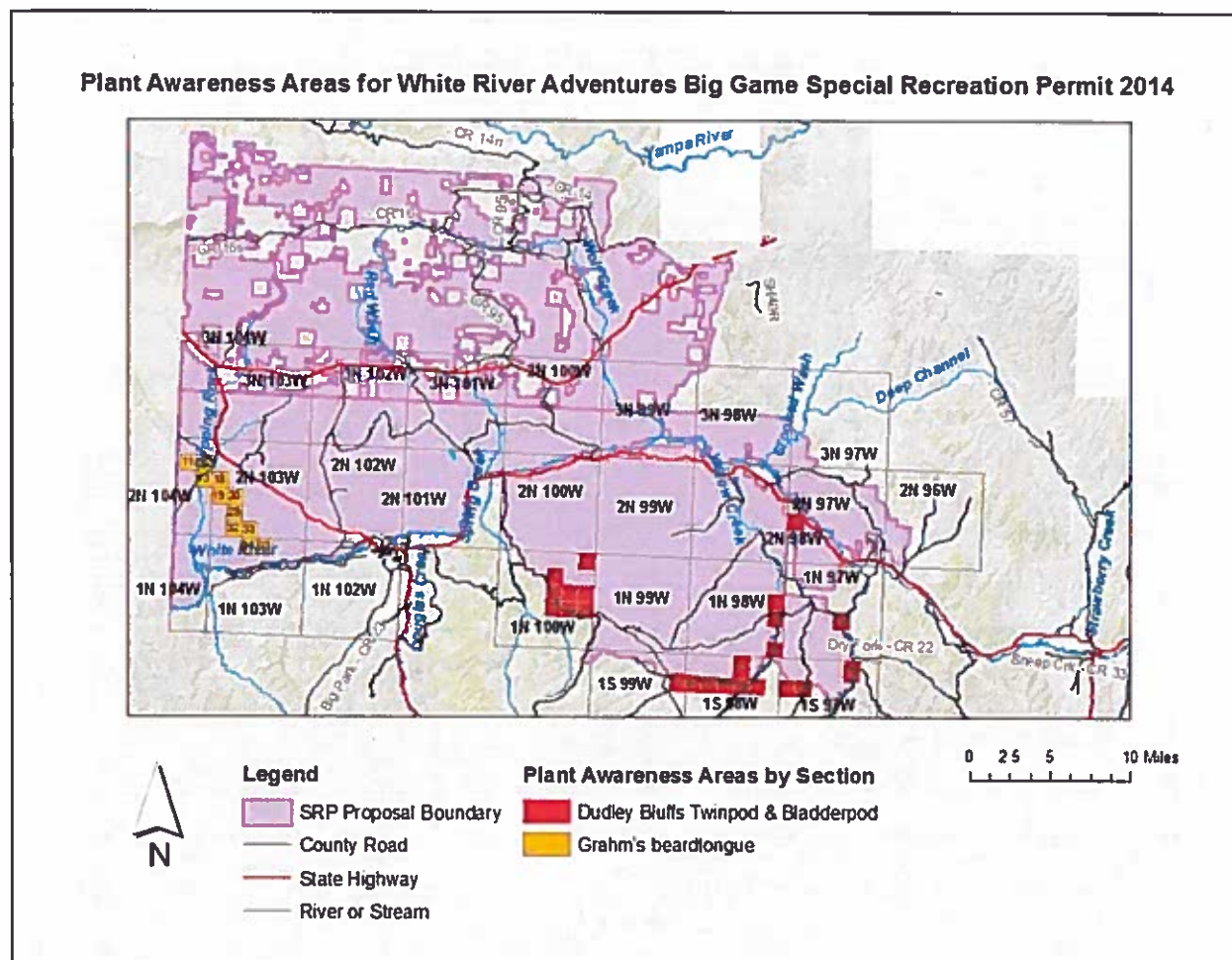
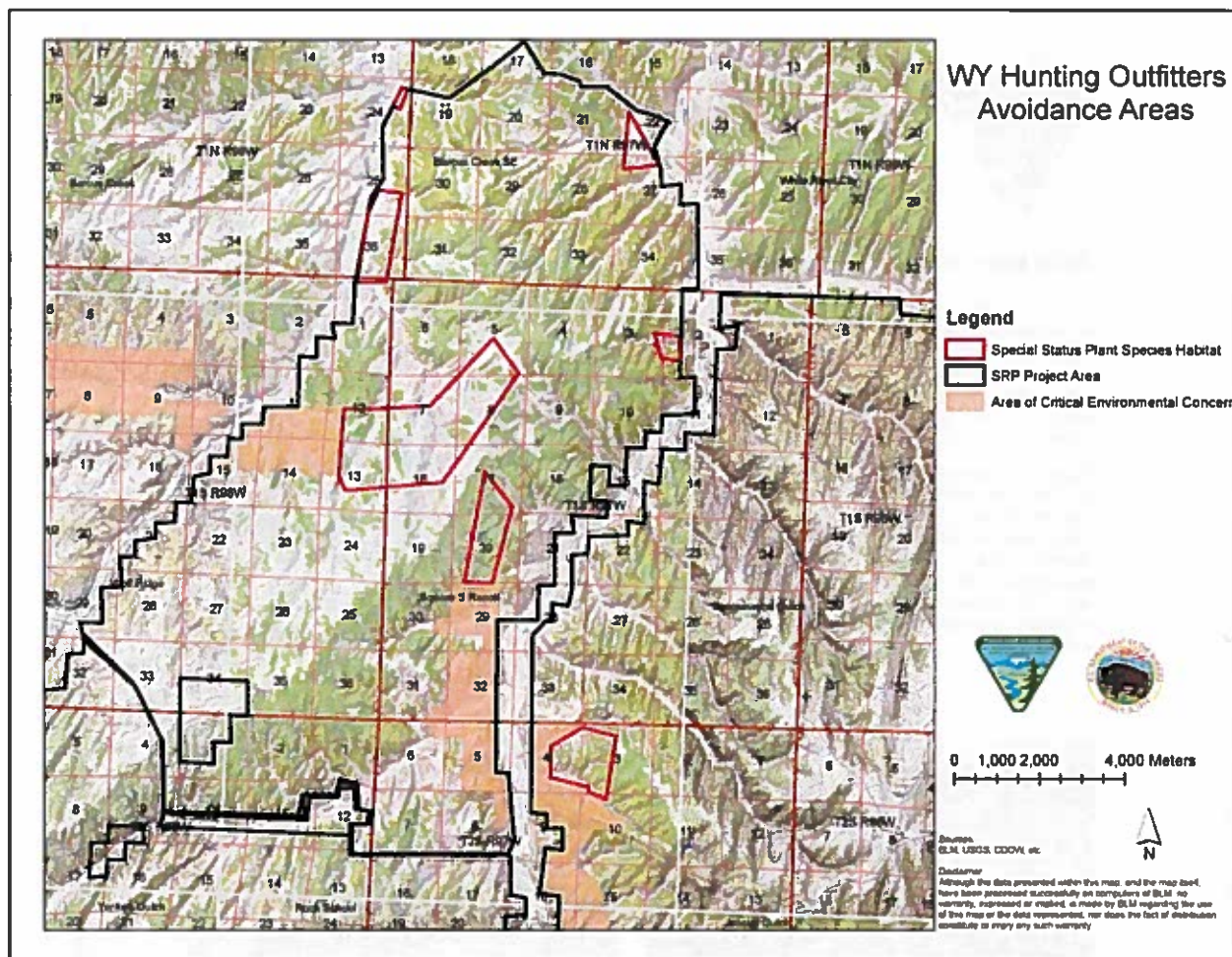




Figure 13-Wyoming Hunting Outfitters-Plant Awareness Map





## Threatened Plants Information Factsheet

DOI BLM White River Field Office

### Dudley Bluffs Twinpod (*Physaria obcordata*)

The Dudley Bluffs Twinpod is an herbaceous perennial plant in the Mustard family. It is endemic to and is found exclusively within a 20 by 30 mile area of Piceance Basin in Northwestern Colorado.

Dudley Bluffs Twinpod tends to grow on barren white shale outcrops. It tends to grow on steep side slopes, but can be found in small wash settings below sideslopes where soil and substrates have eroded and deposited on more level locations.

Plants have a basal rosette of silvery leaves with flowering stems that rise 5-7 inches tall and display bright yellow flowers when in bloom. The species scientific name (*obcordata*) refers to the heart-shaped fruit, or two-lobed seed pod.

The Dudley Bluffs Twinpod is designated as "Threatened" and protected under the Endangered Species Act. The species range has not increased since it was first listed in 1990.

Primary threats to the Dudley



Dudley Bluffs Twinpod with heart shaped seed pods.

Bluffs Twinpod include Energy Development, Oil Shale Mining, Road Construction and Maintenance, Invasive Species Infestations, Off-road Vehicle Use, Overgrazing by Livestock, and trampling by wild-horses.



Dudley Bluffs Twinpod growing on a steep side slope.



Dudley Bluffs Twinpod without flowers or seed pods.



Dudley Bluffs Twinpod Habitat: barren white shale outcrop.



Dudley Bluffs Twinpod Habitat: barren white shale outcrop.





## Threatened Plants Information Factsheet

DOI BLM White River Field Office

### Dudley Bluffs Bladderpod (*Physaria congesta*)

The Dudley Bluffs Bladderpod is an herbaceous perennial plant in the Mustard family. It is endemic to and only occurs within a 1.0 square mile area of Piceance Basin in Northwest-ern Colorado.

Dudley Bluffs Bladderpod tends to grow on barren shale out-crops of ridges or in pinyon-juniper savannah areas. It of-ten grows on level surfaces where outcrops of white shale geology have been exposed. It can also be found growing along gentle slopes of drainag-es and windswept ridges.

Plants are very small, cushion-shaped, sized one to three centimeters in diameter, with silvery spatulate leaves. When in bloom, they display a single dense crown of bright yellow flowers.

The Dudley Bluffs Bladderpod is designated as "Threatened" and protected under the En-dangered Species Act. The species range has not in-creased since it was first listed in 1990.

Primary threats to the Dudley Bluffs Bladderpod include:



Dudley Bluffs Bladderpod with no flowers or seed pods.

Energy Development, Oil Shale Mining, Road Construction and Maintenance, Invasive Species Infestations, Off-road Vehicle Use, Overgrazing by Livestock, and Trampling by wild-horses.



Size Reference: Individuals are about the size of a quarter.



Habitat: Barren white shale outcrop on a ridge top.



Habitat: Shale outcrop within pinyon-juniper savannah.



Habitat: Shale outcrop in Pinyon/Juniper/Sagebrush at bottom of photo.



## Threatened Plants Information Factsheet

DOI BLM White River Field Office

### Graham's Beardtongue (*Penstemon grahamii*)

Graham's Beardtongue is an herbaceous perennial plant in the Plantain family. It is endemic to and only occurs within the Uinta Basin of northeastern Utah and northwestern Colorado.

Graham's Beardtongue tends to grow on barren white shale outcrops where there is little, but diverse plant cover. Habitat consists of sparsely vegetated desert shrub and pinyon/juniper communities. It is often found on Southwest to Western facing slopes of less than 40 degrees.

Each plant has one to three stems, usually 7-18 cm tall, arising from a taproot. Leaves are thick, leathery and dark green to grayish in color, narrowing toward the stem. When in bloom, flowers can be found in clusters of 3-20 and petals vary in color from light to dark lavender or pinkish. The common name is derived from the yellow, bearded staminode that protrudes from the mouth of the flower.

Graham's Beardtongue is proposed as "Threatened" and is protected under the Endangered Species Act.



Graham's Beardtongue in flower: note the hairy yellow tongue.

Primary threats include: Energy Development, Oil Shale Mining, Off-road Vehicle Use, Overgrazing by Livestock, and Over-harvesting for horticultural use.



Graham's Beardtongue without seeds or flowers.



Habitat: Barren white shale outcrop on a ridge top.



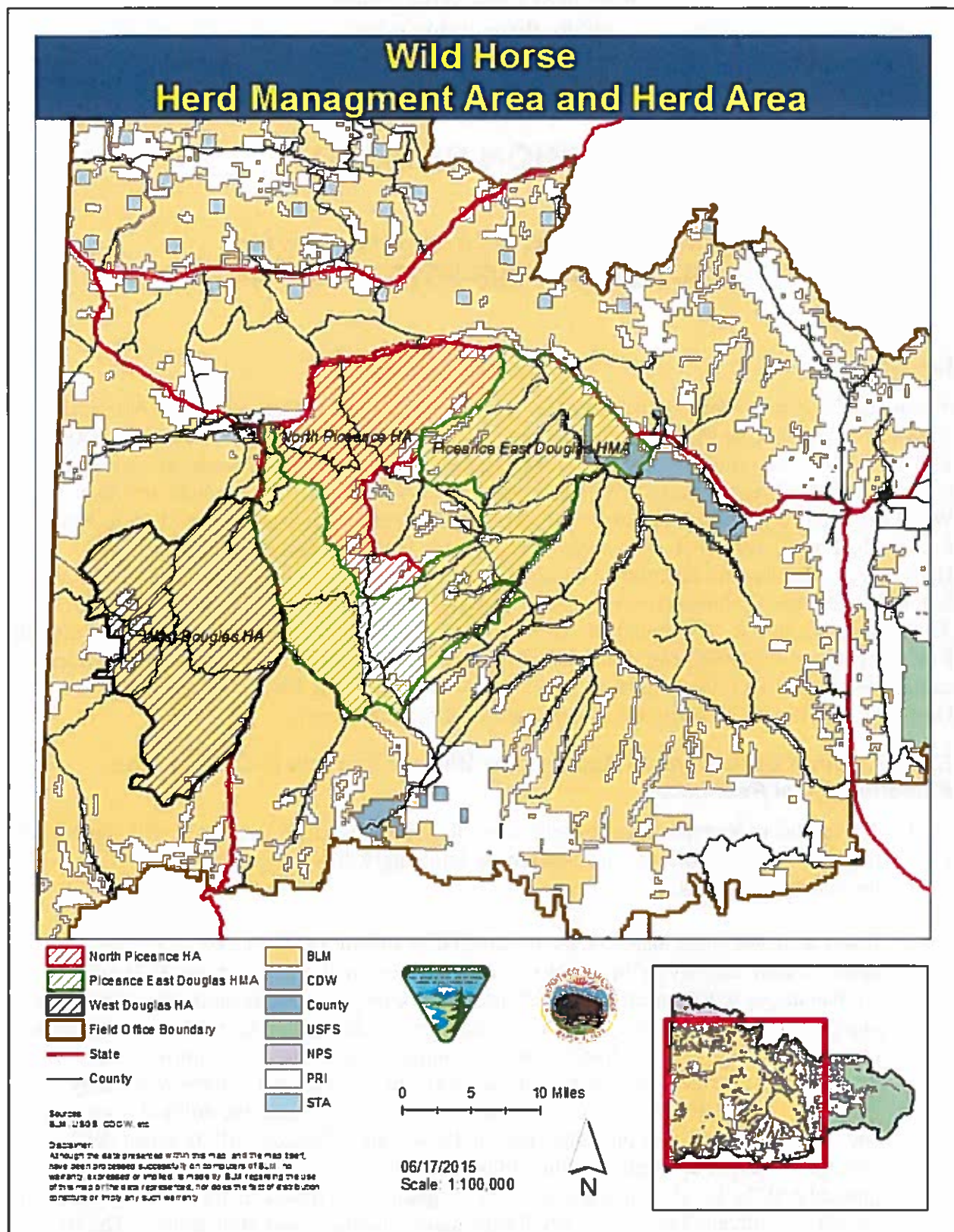
Habitat: Sparsely vegetated shale outcrop.



Habitat: Shale outcrop in Pinyon/Juniper community



Figure 14-Wild Horse Herd Management Area and Herd Areas





**U.S. Department of the Interior  
Bureau of Land Management  
White River Field Office  
220 E Market St  
Meeker, CO 81641**

## **DECISION RECORD**

### ***Spring 2015 Special Recreation Permits*** **DOI-BLM-CO-N05-2015-0058-DNA**

#### **Decision**

It is my decision to implement the Proposed Action as described in DOI-BLM-CO-N05-2015-0058-DNA, authorizing the renewal or issuance of various Special Recreation Permits (SRPs). This includes issuing multi-year (five year) big game outfitting SRPs to Charles Barrett doing business as (dba) Charles Barrett, William DeShaw dba Wyoming Hunting Outfitters, Les Woodward dba Hogback Ridge Adventures and single year big game outfitting SRPs to Nona Powell dba Powell 4A Ranch, Travis Kruckenberg dba White River Adventures, and Kirk Hellander dba Hellander Outfitting. This also includes issuing a multi-year (five year) SRP to Sombrero Ranches for horse rental and game packing and a multi-year (five year) SRP to John Saunders dba Colorado Mountain College to conduct overnight, educational backpacking trips in Bull Canyon and Willow Creek Wilderness Study Areas. This also includes authorizing drop camps for Monty Elder dba Rim Rock Outfitters, Bruce and Kathy Nay dba Bookcliffs Outfitters, and Kevin Herrman dba Paramount Wildlife Management.

#### ***BLM Required Conditions of Approval to Mitigate Impacts to Cultural and Paleontological Resources***

1. The applicant is responsible for informing all persons who are associated with the project that they will be subject to prosecution for knowingly disturbing archaeological sites or for collecting artifacts.
2. If any archaeological materials are discovered as a result of operations under this authorization, activity in the vicinity of the discovery will cease, and the BLM WRFO Archaeologist will be notified immediately. Work may not resume at that location until approved by the AO. The applicant will make every effort to protect the site from further impacts including looting, erosion, or other human or natural damage until BLM determines a treatment approach, and the treatment is completed. Unless previously determined in treatment plans or agreements, BLM will evaluate the cultural resources and, in consultation with the State Historic Preservation Office (SHPO), select the appropriate mitigation option within 48 hours of the discovery. The applicant, under guidance of the BLM, will implement the mitigation in a timely manner. The process will be fully documented in reports, site forms, maps, drawings, and photographs. The BLM will forward documentation to the SHPO for review and concurrence.

- 3 Pursuant to 43 CFR 10.4(g), the applicant must notify the AO, by telephone and written confirmation, immediately upon the discovery of human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4(c) and (d), the operator must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the AO.

### **Mitigation Measures**

1. All commercial use of Public Lands will comply with the current version of the BLM Colorado Special Recreation Permits, Conditions and Stipulations for all permitted activities.
2. When working on lands administered by the BLM WRFO, notify Craig Interagency Dispatch (970-826-5037) in the event of any fire. The reporting party will inform the dispatch center of fire location, size, status, smoke color, aspect, fuel type, and provide their contact information. The reporting party, or a representative of, should remain nearby, in a safe location, in order to make contact with incoming fire resources to expedite actions taken towards an appropriate management response. The applicant will not engage in any fire suppression activities outside the approved operating area. Accidental ignitions will be suppressed by the applicant only if safety is not endangered and if the fire can be safely contained using hand tools and portable hand pumps. If chemical fire extinguishers are used the applicant must notify incoming fire resources on extinguisher type and the location of use. Natural ignitions caused by lightning will be managed by federal fire personnel. The use of heavy equipment for fire suppression is prohibited, unless authorized by the Field Manager.
3. Plant protection mitigation (for White River Adventures SRP and Wyoming Hunting Outfitters SRP only) includes: The applicant and all guides and employees associated with the authorized operations will be provided with educational materials about *Physaria obcordata*, *Physaria congesta*, and *Penstemon grahamii* (Attachment 1) along with maps of plant awareness areas and will attempt to avoid special status plant species areas designated in the attached map (Figure 12 and Figure 13) and be aware of plant's habitats. If an animal is downed on a white shale outcrop, the outfitter and guides will either quarter and either quarter or carry the animal off the white shale, or if this is not possible, the area of disturbance will be kept to a minimum while field dressing and all scraps will be removed from white shale outcrop.
4. The following SRPs are located within areas where wild horses can be found. Not all wild horses are located within the delineated boundaries of the Herd Management Area (HMA) and Herd Area (HA). Wild horse mitigation measures will be directed to the following; Wyoming Hunting Outfitters, Powell 4A Outfitters, White River Adventures, Sombrero Ranches, Rim Rock Outfitters, Bookcliffs Outfitters and Paramount Wildlife Management.
  - a. The permittee/guide shall inform all staff and clients that wild horses are protected by Federal law and will prevent harassment of wild horses from

permitted activities. Prohibited acts include but are not limited to: maliciously injuring or harassing a wild horse or burro; removing or attempting to remove a wild horse or burro from public lands; destroying a wild horse or burro; selling or attempting to sell a wild horse or burro; and, commercially exploiting a wild horse or burro. Crimes are punishable by fine and/or imprisonment.

- b. Examples of violations might include harassment by ATV, injury or death by a bullet or arrow, and illegal capture.
  - c. All guides shall possess a map indicating boundary of the HMA as well as the HAs. (Figure 14)
  - d. The permittee will discourage the discharge of firearms within HMA during the foaling season (March 1 – June 15) that is not directly associated with the permitted commercial activity. For example, discourage target shooting or sighting in of firearms in these areas during this time when permitted for commercial mountain lion hunting.
  - e. Stay at least 100 feet away from wild horses.
  - f. Do not feed or try to attract any wild horse towards you.
  - g. Keep dogs under control so they do not disturb or chase wild horses.
  - h. Report sick, injured animals, or other violations against wild horses to the BLM.
  - i. Do not bring sick or diseased animals into the HMA. Wild horses on the range are not vaccinated against diseases.
5. Soils mitigation for Paramount Wildlife Management only: all motorized travel shall cease in the camping area and adjacent parking and motorized vehicles must park adjacent to the existing road when soils or road surfaces become saturated to a depth of three inches unless approved by the Authorized Officer.

### **Compliance with Laws & Conformance with the Land Use Plan**

This decision is in compliance with the Endangered Species Act and the National Historic Preservation Act. It is also in conformance with the 1997 White River Record of Decision/Approved Resource Management Plan.

### **Environmental Analysis and Finding of No Significant Impact**

The Proposed Action was analyzed in DOI-BLM-N05-2014-0057-EA and it was found to have no significant impacts, thus an EIS is not required.

### **Public Involvement**

This project was posted on the WRFO's on-line National Environmental Policy Act (NEPA) register on 5/21/2015. No comments or inquiries have been received as of 6/15/2015.

### **Rationale**

The proposal for renewing and/or issuing these Special Recreation Permits conforms to the land use plan and the NEPA documentation previously prepared fully covers the Proposed Action and constitutes BLM's compliance with the requirements of NEPA. Issuing these SRPs enhances the

quality and quantity of recreational opportunities available to the public in the WRFO and provides services that otherwise would not be available.

### **Monitoring and Compliance**

On-going compliance inspections and monitoring will be conducted by the BLM White River Field Office staff during and after authorized commercial operations. Specific mitigation developed in this document will be followed. The applicant will be notified of compliance related issues, and depending on the nature of the issue(s), will be provided 30 days to resolve such issues.

### **Administrative Remedies**

#### Process for Appeals

An appeal is an opportunity for a qualified party to obtain a review of a BLM decision by an independent board of Administrative judges within the Department of Interior's Board of Land Appeals (IBLA). The IBLA determines whether the BLM followed applicable laws and regulations, adhered to established policies and procedures, and considered relevant information in reaching a decision.

Individuals, who believe they are adversely affected by a BLM decision to deny, modify or cancel a Special Recreation Permit (SRP) may appeal the decision. Appeals are made to the IBLA under Title 43 C.F.R., Part 4, pursuant to 43 C.F.R. §4.411. A person who wishes to appeal to the IBLA must file in the office of the officer who made the decision a notice that he wishes to appeal. "Information on Taking Appeals to the Board of Land Appeals" is enclosed for your convenience.

\*\* Attach Form 1842-1 Information on Taking Appeals to the Interior Board of Lands Appeals to the letter.\*\*

### **Signature of Authorized Official**

  
Field Manager

  
Date

